



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

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January 16, 2012

Stuart J. Appelbaum
Chief, Planning Division
Jacksonville District, U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

SUBJECT: Final Environmental Impact Statement for Everglades Restoration Transition Plan,
Broward and Miami-Dade Counties, Florida

Dear Mr. Appelbaum,

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Final Environmental Impact Statement (EIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The Jacksonville District of the U.S. Army Corps of Engineers proposes implementation of the Everglades Restoration Transition Plan (ERTP), which will supersede the 2006 Interim Operation Plan for the Cape Sable Seaside Sparrow (IOP). The purpose of ERTP is to define water management operating criteria for Central and Southern Florida Project (C&SF) features and the constructed features of the Modified Water Deliveries and Canal-111 projects until a Combined Operational Plan is implemented. ERTP objectives include improving conditions in Water Conservation Area 3A (WCA-3A) for the endangered Everglade snail kite, wood stork and wading bird species while maintaining protection for the endangered Cape Sable seaside sparrow (CSSS) and Congressionally authorized purposes of the C&SF Project. The proposed action is a modification of IOP with operational flexibilities to provide further hydrological improvements amenable to multiple listed species. In a letter dated April 1, 2011, EPA commented on the Draft EIS (DEIS).

The ERTP alternatives formulation process has been described in terms of Chapters. Formulation of Chapter 1 alternatives resulted from extensive review of observed hydro-meteorological and species data and lessons learned during the time period between 1998 and 2009, corresponding to the 1998 and the 2002 and 2006 Interim Structural and Operational Plan (ISOP) and the 2002 and 2006 Interim Operational Plan (IOP). Chapter 2 Alternatives were developed independently of the ERTP process to address a lowered WCA-3A Regulation Schedule and were simulated using the South Florida Water Management Model (SFWMM). These alternatives employed a WCA-3A Regulation Schedule in which all of the zones (Zone A through E) were lowered. Although the results were positive for reducing high water levels in WCA-3A, there was also an increase in frequency and duration of dry events resulting in undesirable ecological effects in northern WCA-3A. As a result, Chapter 3 alternatives were

formulated using the South Florida Water Management Model (SFWMM) to incorporate both the interim high water management criteria and ERTTP performance measures (PM) and ecological targets (ET).

After these two levels of screening, the final array of alternatives include the No Action Alternative (Alternative A), which would maintain the status quo of the IOP and three action alternatives (Alternative 7AB, Alternative 8D, and Alternative 9E1) that address both the interim high water management criteria and multi-species recommendations. The current operating regime, IOP, is included within the Lake Okeechobee Regulation Schedule (LORS) modeling base run and served as the comparison point for the three action alternatives. Alternative 7AB represents the modification of Chapter 2, Alternative 7, in response to the U.S. Fish and Wildlife Service (FWS) recommendations to retain IOP closure dates for S-12A and S-12B. Alternative 8D represents IOP with the WCA-3A Regulation Schedule modified for lowering of Zone A, in response to interim high water management criteria WCA-3A, and the removal of IOP S-12C closure dates. Alternative 9E1 best represents Chapter 1, Alternative B, with incorporation of the interim high water management criteria (.24 to .5 feet lowering of Zone A); however, Alternative 9E1 does not include the operational flexibility of S-12A and S-12B that was originally proposed under Chapter 1, Alternative B. The Corps has selected Alternative 9E1 as the final recommended plan.

Overall, EPA is supportive of the selection of Alternative 9E1 as the final recommended plan. EPA appreciates the Corps' collaborative, multi-agency effort in formulating the final recommended plan. EPA recognizes that the COE was concerned that implementation of Alternative 9E1 (or any other listed alternative) might result in exceedances of Total Phosphorus (TP) loads into Everglades National Park (ENP) and non-compliance with the Everglades Settlement Agreement and have conducted water quality modeling to forecast the affect of each alternative on TP loading. This modeling indicates that Alternative 9E1 (TSP) will maintain the status quo in TP water quality discharged to the Park (as compared to the IOP).

We appreciate the opportunity to review the proposed action. Please contact Jamie Higgins at (404) 562-9681 if you want to discuss our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mueller", followed by a horizontal line.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management